

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:19-cv-00529-CJN**

NATIONAL SECURITY ARCHIVE v. DEFENSE  
INTELLIGENCE AGENCY  
Assigned to: Judge Carl J. Nichols  
Cause: 05:552 Freedom of Information Act

Date Filed: 02/28/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****NATIONAL SECURITY ARCHIVE**

represented by **Hilary Jacobs**  
BEVERIDGE & DIAMOND, P.C.  
1350 I Street, NW  
Suite 700  
Washington, DC 20005  
(202) 789-6086  
Email: [HJacobs@bdlaw.com](mailto:HJacobs@bdlaw.com)  
**ATTORNEY TO BE NOTICED**

**John Stephen Guttman, Jr.**  
BEVERIDGE & DIAMOND, P.C.  
1350 I Street NW  
Suite 700  
Washington, DC 20005  
(202) 789-6020  
Fax: (202) 789-6190  
Email: [jguttman@bdlaw.com](mailto:jguttman@bdlaw.com)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****DEFENSE INTELLIGENCE  
AGENCY**

represented by **April Denise Seabrook**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 252-2525  
Fax: (202) 252-2599  
Email: [april.seabrook@usdoj.gov](mailto:april.seabrook@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

| Date Filed | #        | Docket Text  |
|------------|----------|--|
| 02/28/2019 | <u>1</u> | COMPLAINT against DEFENSE INTELLIGENCE AGENCY ( Filing fee \$ 400 receipt number 0090-5971625) filed by NATIONAL SECURITY ARCHIVE. (Attachments: # <u>1</u> Civil Cover Sheet Civil cover sheet, # <u>2</u> Summons Summonses, # <u>3</u> Exhibit All exhibits)(Guttman, John) (Attachment 1 replaced on 2/28/2019) (zef, ). (Entered: 02/28/2019) |
| 02/28/2019 |          | Case Assigned to Judge Trevor N. McFadden. (zef, ) (Entered: 02/28/2019)   |
| 02/28/2019 | <u>2</u> | SUMMONS (1) Issued Electronically as to DEFENSE INTELLIGENCE AGENCY, (Attachments: # <u>1</u> Notice and Consent)(zef, ) Modified on 03/06/2019 to correct issuance of summons. (Entered: 02/28/2019)  |
| 02/28/2019 | <u>3</u> | STANDING ORDER establishing procedures for cases before Judge Trevor N. McFadden. The parties are directed to read and strictly comply with the directives in the attached order. Signed by Judge Trevor N. McFadden on 2/28/2019. (lctnm3)  |

|            |           |  |
|------------|-----------|--|
|            |           | (Entered: 02/28/2019)  |
| 03/06/2019 |           | NOTICE OF CORRECTED DOCKET ENTRY: re <u>2</u> Summons Issued Electronically, there were three summons filed and then re-docketed electronically issued to the DEFENSE INTELLIGENCE AGENCY, US ATTORNEY, and US ATTORNEY GENERAL (zef, ). (zef, ) (Entered: 03/06/2019)   |
| 03/06/2019 | <u>4</u>  | SUMMONS (3) Issued Electronically as to DEFENSE INTELLIGENCE AGENCY, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef, ) (Entered: 03/06/2019)  |
| 04/17/2019 | <u>5</u>  | ENTERED IN ERROR.....CERTIFICATE OF SERVICE by NATIONAL SECURITY ARCHIVE . (Jacobs, Hilary) Modified on 4/18/2019 (ztth). (Entered: 04/17/2019)  |
| 04/17/2019 | <u>6</u>  | ENTERED IN ERROR.....CERTIFICATE OF SERVICE by NATIONAL SECURITY ARCHIVE . (Jacobs, Hilary) Modified on 4/18/2019 (ztth). (Entered: 04/17/2019)  |
| 04/17/2019 | <u>7</u>  | ENTERED IN ERROR.....CERTIFICATE OF SERVICE by NATIONAL SECURITY ARCHIVE . (Jacobs, Hilary) Modified on 4/18/2019 (ztth). (Entered: 04/17/2019)  |
| 04/17/2019 | <u>8</u>  | NOTICE of Appearance by NATIONAL SECURITY ARCHIVE (Jacobs, Hilary); Modified event and text on 4/19/2019 (tth). (Entered: 04/17/2019)  |
| 04/18/2019 |           | NOTICE OF ERROR re <u>5</u> Certificate of Service; emailed to HJacobs@bdlaw.com, cc'd 1 associated attorneys -- The PDF file you docketed contained errors: 1. Incorrect event used, 2. Please refile document, 3. The correct event is under the Service of Process category. (ztth, ) (Entered: 04/18/2019)   |
| 04/18/2019 |           | NOTICE OF ERROR re <u>6</u> Certificate of Service; emailed to HJacobs@bdlaw.com, cc'd 1 associated attorneys -- The PDF file you docketed contained errors: 1. Incorrect event used, 2. Please refile document, 3. The correct event is under the Service of Process category. (ztth, ) (Entered: 04/18/2019)   |
| 04/18/2019 |           | NOTICE OF ERROR re <u>7</u> Certificate of Service; emailed to HJacobs@bdlaw.com, cc'd 1 associated attorneys -- The PDF file you docketed contained errors: 1. Incorrect event used, 2. Please refile document, 3. The correct event is under the Service of Process category. (ztth, ) (Entered: 04/18/2019)   |
| 04/18/2019 | <u>9</u>  | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/10/2019. Answer due for ALL FEDERAL DEFENDANTS by 5/10/2019. (Jacobs, Hilary) (Entered: 04/18/2019)   |
| 04/18/2019 | <u>10</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEFENSE INTELLIGENCE AGENCY served on 4/15/2019 (Jacobs, Hilary) (Entered: 04/18/2019)  |
| 04/18/2019 | <u>11</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/15/2019. (Jacobs, Hilary) (Entered: 04/18/2019)   |
| 05/10/2019 | <u>12</u> | ANSWER to Complaint by DEFENSE INTELLIGENCE AGENCY.(Seabrook, April) (Entered: 05/10/2019)   |
| 05/13/2019 |           | MINUTE ORDER. Before the Court are a complaint and an answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of the Plaintiff's FOIA request, the anticipated number of documents responsive to the Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by the Plaintiff, whether a motion for an <i>Open America</i> stay is likely in this case, whether a <i>Vaughn</i> index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the schedule on or before June 13, 2019. Signed by Judge Trevor N. McFadden on 5/13/2019. (lctnm3) (Entered: 05/13/2019) |
| 05/13/2019 |           | Set/Reset Deadlines: Joint Status Report due by 6/13/2019. (hmc) (Entered: 05/13/2019)   |

|            |           |  |
|------------|-----------|--|
| 06/13/2019 | <u>13</u> | Joint STATUS REPORT by NATIONAL SECURITY ARCHIVE. (Jacobs, Hilary) (Entered: 06/13/2019)   |
| 06/14/2019 |           | MINUTE ORDER: Upon consideration of the parties' <u>13</u> Joint Status Report, it is hereby ORDERED that a further update shall be filed on or before June 21, 2019. This report shall apprise the Court of the status of the parties' negotiations and propose a schedule for further proceedings. Signed by Judge Trevor N. McFadden on 6/14/2019. (lctnm3) (Entered: 06/14/2019)   |
| 06/14/2019 |           | Set/Reset Deadlines: Joint Status Report due by 6/21/2019. (hmc) (Entered: 06/14/2019)   |
| 06/21/2019 | <u>14</u> | Joint STATUS REPORT by DEFENSE INTELLIGENCE AGENCY. (Seabrook, April) (Entered: 06/21/2019)  |
| 06/21/2019 |           | MINUTE ORDER: Upon consideration of the parties <u>14</u> Joint Status Report, it is hereby ORDERED that a further update shall be filed on or before July 31, 2019. This Report shall update the Court about whether the Defendant has produced the agreed-upon indices and shall propose a schedule for further proceedings as necessary. Signed by Judge Trevor N. McFadden on 6/21/2019. (lctnm3) (Entered: 06/21/2019)  |
| 06/24/2019 |           | Set/Reset Deadlines: Joint Status Report due by 7/31/2019. (hmc) (Entered: 06/24/2019)   |
| 06/24/2019 |           | Case directly reassigned to Judge Carl J. Nichols. Judge Trevor N. McFadden is no longer assigned to the case. (rj) (Entered: 06/24/2019)  |
| 07/31/2019 | <u>15</u> | Joint STATUS REPORT <i>filed</i> by NATIONAL SECURITY ARCHIVE. (Attachments: # <u>1</u> Exhibit Exhibit 1)(Jacobs, Hilary) (Entered: 07/31/2019)   |
| 08/14/2019 |           | MINUTE ORDER. In light of the Parties' <u>15</u> Joint Status Report and today's telephonic conference, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report by September 9, 2019. Signed by Judge Carl J. Nichols on August 14, 2019. (lccjn1) (Entered: 08/14/2019)  |
| 08/14/2019 |           | Set/Reset Deadlines: Parties Additional Joint Status Report due by 9/9/2019. (mac) (Entered: 08/14/2019)   |
| 09/09/2019 | <u>16</u> | Joint STATUS REPORT by NATIONAL SECURITY ARCHIVE. (Jacobs, Hilary) (Entered: 09/09/2019)   |
| 09/11/2019 |           | MINUTE ORDER. In light of the Parties' <u>16</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before October 4, 2019. Signed by Judge Carl J. Nichols on September 11, 2019. (lccjn3) (Entered: 09/11/2019)   |
| 09/11/2019 |           | Set/Reset Deadlines/Hearings: Joint Status Report due by 10/4/2019. (zcdw) (Entered: 09/12/2019)   |
| 10/07/2019 | <u>17</u> | Joint STATUS REPORT by NATIONAL SECURITY ARCHIVE. (Attachments: # <u>1</u> Text of Proposed Order Proposed order)(Jacobs, Hilary) (Entered: 10/07/2019)  |
| 10/31/2019 |           | MINUTE ORDER. In light of the Parties' <u>17</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before November 8, 2019. Signed by Judge Carl J. Nichols on October 31, 2019. (lccjn3) (Entered: 10/31/2019)  |
| 10/31/2019 |           | Set/Reset Deadlines/Hearings: Joint Status Report due by 11/8/2019. (zcdw) (Entered: 11/01/2019)   |
| 11/08/2019 | <u>18</u> | Joint STATUS REPORT by NATIONAL SECURITY ARCHIVE. (Jacobs, Hilary) (Entered: 11/08/2019)   |
| 11/28/2019 |           | MINUTE ORDER. In light of the Parties' <u>18</u> Joint Status Report, it is hereby ORDERED that Defendant shall provide Plaintiff the first production of nonexempt portions of one-fourth (i.e., eight) of the requested documents by December 10, 2019, with monthly productions of each of the remaining quarters of documents following thereafter. It is further ORDERED that the Parties shall submit an additional Joint Status Report on or before December 20, 2019. Signed by Judge Carl J. Nichols on |

|  |  |   |
|--|--|---|
|  |  | November 27, 2019. (lccjn3) (Entered: 11/28/2019) |
|--|--|---|